

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN BRUCE SIMON**, on January 20, 1999 at 8:00 A.M., in Room 104 Capitol.

ROLL CALL

Members Present:

Rep. Bruce Simon, Chairman (R)
Rep. Bob Pavlovich, Vice Chairman (D)
Rep. Paul Sliter, Vice Chairman (R)
Rep. Joe Barnett (R)
Rep. Rod Bitney (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Roy Brown (R)
Rep. David Ewer (D)
Rep. Carol C. Juneau (D)
Rep. Billie Krenzler (D)
Rep. Bob Lawson (R)
Rep. Gay Ann Masolo (R)
Rep. Gary Matthews (D)
Rep. Joe McKenney (R)
Rep. Carolyn Squires (D)
Rep. Jay Stovall (R)
Rep. Cliff Trexler (R)
Rep. Carley Tuss (D)

Members Excused: None.

Members Absent: None.

Staff Present: Stephen Maly, Legislative Branch
Pati O'Reilly, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 4 (1/14/99) HB 121, HB 154,
HB 156, HB 181, 1/8/1999
Executive Action: SB 4, HB 154, HB 156

HEARING ON SB 4

Opening Statement by Sponsor: Sen. Mahlum, SD 35 introduced SB 4.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 51}

Proponents' Testimony:

Andy Poole, Deputy Director Dept of Commerce

{Tape : 1; Side : A; Approx. Time Counter : 51 - 67}

Opponents' Testimony: No Opponents

Questions from Committee Members and Responses:

Rep. Masolo questions Mr. Poole

{Tape : 1; Side : A; Approx. Time Counter : 67 - 73}

Closing by Sponsor: Sen. Mahlum closed SB 4.

{Tape : 1; Side : A; Approx. Time Counter : 73 - 98}

HEARING ON HB 121

Opening Statement by Sponsor: Rep. Krenzler, HD 17 introduced HB 121.

{Tape : 1; Side : A; Approx. Time Counter : 98 - 141}

Proponents' Testimony:

Beth O'Halleron, Montana State Auditor's Office, Securities Division. **EXHIBIT**(buh15a02) **EXHIBIT**(buh15a03)

{Tape : 1; Side : A; Approx. Time Counter : 141 - 191}

Betty Beverly, Montana Sr. Citizens Assn.

{Tape : 1; Side : A; Approx. Time Counter : 191 - 200}

Theresa Jennings, Sr. attorney for Direct Selling

{Tape : 1; Side : A; Approx. Time Counter : 200 - 210}

Mike Bennett, Vice Pres. of Corporate Affairs Long and Bergers.

{Tape : 1; Side : A; Approx. Time Counter : 210 - 222}

Dick Bloomendahl, Amway **EXHIBIT**(buh15a01)

{Tape : 1; Side : A; Approx. Time Counter : 222 - 227}

Irene Theurer, AARP

{Tape : 1; Side : A; Approx. Time Counter : 227 - 233}

Selma Manley, Bozeman resident

{Tape : 1; Side : A; Approx. Time Counter : 233 - 280}

Judy Williams, Toston, MT

{Tape : 1; Side : A; Approx. Time Counter : 280 - 292}

Brad Griffin, Montana Direct Sales Assn. **EXHIBIT**(buh15a04)

EXHIBIT(buh15a05)

{Tape : 1; Side : A; Approx. Time Counter : 292 - 303}

Opponents' Testimony: None

Questions from Committee Members and Responses:

Reps. Ewer, Stovall, Brown, Pavlovich, Simon question proponents.

{Tape : 1; Side : A; Approx. Time Counter : 303 - 500}

Closing by Sponsor: Rep. Krenzler closed HB 121.

{Tape : 1; Side : B; Approx. Time Counter : 0 - 43}

HEARING ON HB 154

Opening Statement by Sponsor: Rep. Gallus, HD 35 introduced HB 154. **EXHIBIT**(buh15a06)

{Tape : 1; Side : B; Approx. Time Counter : 43 - 71}

Proponents' Testimony:

Frank Cote, Dep. Insurance Commissioner, State Auditor Office.

{Tape : 1; Side : B; Approx. Time Counter : 71 - 98}

Tom DeBoer, Montana body shop owner.

{Tape : 1; Side : B; Approx. Time Counter : 98 - 123}

Ron Ashabrann, State Farm Insurance

{Tape : 1; Side : B; Approx. Time Counter : 123 - 129}

John Metropolis, Farmers Insurance Group

{Tape : 1; Side : B; Approx. Time Counter : 129 - 137}

Anne Bartos, Attorney for Dept. of Commerce

{Tape : 1; Side : B; Approx. Time Counter : 137 - 145}

Truman Strouf, MT Federation of Glass Dealers

{Tape : 1; Side : B; Approx. Time Counter : 145 - 150}

Mike Oliver, Enoco Glass

{Tape : 1; Side : B; Approx. Time Counter : 150 - 158}

Opponents' Testimony: None

Questions from Committee Members and Responses:

Reps. Lawson, Barnett, Bookout, Simon, Pavlovich, and Simon question proponents.

{Tape : 1; Side : B; Approx. Time Counter : 158 - 408}

Closing by Sponsor: Rep. Gallus closed HB 154.

{Tape : 1; Side : B; Approx. Time Counter : 408 - 500}

HEARING ON HB 156

Opening Statement by Sponsor: Rep. Tropila, HD 47 introduced HB 156. **EXHIBIT**(buh15a07)

{Tape : 2; Side : A; Approx. Time Counter : 0 - 22}

Proponents' Testimony:

Frank Cote, Deputy Insurance Commissioner, State Auditor's Office.

{Tape : 2; Side : A; Approx. Time Counter : 22 - 67}

Diane Clark, Butte, MT **EXHIBIT**(buh15a08)

{Tape : 2; Side : A; Approx. Time Counter : 67 - 188}

Larry Dryer, Helena banker

{Tape : 2; Side : A; Approx. Time Counter : 188 - 399}

Chuck Butler, Blue Cross and Blue Shield of Montana

{Tape : 2; Side : A; Approx. Time Counter : 399 - 481}

Don Allen, Montana Medical Benefits Plan

{Tape : 2; Side : A; Approx. Time Counter : 481 - 500}

Ray Gustafson,

{Tape : 2; Side : B; Approx. Time Counter : 0 - 19}

Craig Sweet, Montana Public Interest Group

{Tape : 2; Side : B; Approx. Time Counter : 19 - 45}

Kip Smith, Montana Primary Care Assn.

{Tape : 2; Side : B; Approx. Time Counter : 45 - 70}

Irene Theurer, AARP

{Tape : 2; Side : B; Approx. Time Counter : 70 - 77}

Al Pontrelli, Montana Assn. of Underwriters

{Tape : 2; Side : B; Approx. Time Counter : 77 - 82}

Mike Costell, Bozeman, MT

{Tape : 2; Side : B; Approx. Time Counter : 82 - 104}

Opponents' Testimony: None

Questions from Committee Members and Responses:

Reps. Ewer, Pavlovich, Stovall, Bitney and Simon question proponents and sponsor.

{Tape : 2; Side : B; Approx. Time Counter : 104 - 368}

Closing by Sponsor: Rep. Tropila closed HB 156.

{Tape : 2; Side : B; Approx. Time Counter : 368 - 393}

HEARING ON HB 181

Opening Statement by Sponsor: Rep. Sliter, HD 76 introduced HB 181. **EXHIBIT**(buh15a09) **EXHIBIT**(buh15a10)

{Tape : 2; Side : B; Approx. Time Counter : 393 - 408}

Proponents' Testimony:

Frank Cote, Deputy Insurance Commissioner, State Auditor's Office.

{Tape : 2; Side : B; Approx. Time Counter : 408 - 500}

Jack Driggs, MCRS. Montana Consumers Repair Service.

{Tape : 3; Side : A; Approx. Time Counter : 0 - 30}

Craig Sweet, Legislative Director Montana PRG.

{Tape : 3; Side : A; Approx. Time Counter : 30 - 49}

Rick Booth, Missoula, MT

{Tape : 3; Side : A; Approx. Time Counter : 49 - 78}

Matt McDonald, Billings auto shop

{Tape : 3; Side : A; Approx. Time Counter : 78 - 150}

Donna Fastena, Hank's Body Shop **EXHIBIT**(buh15a11)
EXHIBIT(buh15a12) **EXHIBIT**(buh15a13)
{Tape : 3; Side : A; Approx. Time Counter : 150 - 179}

Jackie Ayers, Billings, MT
{Tape : 3; Side : A; Approx. Time Counter : 179 - 236}

Kristi Schweitzer, Montana Trial Lawyers
{Tape : 3; Side : A; Approx. Time Counter : 236 - 249}

Gary Langford, Gt Falls, MT
{Tape : 3; Side : A; Approx. Time Counter : 249 - 250}

Bob Gilbert, Montana Auto Dismantlers and Recyclers
{Tape : 3; Side : A; Approx. Time Counter : 250 - 268}

Loretta Miller, Green Meadow Auto Salvage
{Tape : 3; Side : A; Approx. Time Counter : 268 - 300}

Mark Baker, National Assn of Industrial Insurers.
EXHIBIT(buh15a14)
{Tape : 3; Side : A; Approx. Time Counter : 300 - 376}

Stuart Doggett, Montana Manufactured Housing
{Tape : 3; Side : A; Approx. Time Counter : 376 - 387}

Opponents' Testimony:

Greg Van Horrsen, State Farm Insurance **EXHIBIT**(buh15a15)
{Tape : 3; Side : A; Approx. Time Counter : 387 - 500}

Wally Simms, Billings, MT, Farmers Insurance Group
{Tape : 3; Side : B; Approx. Time Counter : 0 - 84}

Sue Weingartner, Alliance of American Insurers **EXHIBIT**(buh15a16)
{Tape : 3; Side : B; Approx. Time Counter : 84 - 178}

Jackie Lenmark, American Insurance Assn.
{Tape : 3; Side : B; Approx. Time Counter : 178 - 242}

John Metropolis, Farmers Insurance Group
{Tape : 3; Side : B; Approx. Time Counter : 242 - 347}

Questions from Committee Members and Responses:

Reps. Stovall, Sliter, Lawson, Masolo, Tuss, Ewer, Brown, Simon
and Pavlovich question proponents.
{Tape : 3; Side : B; Approx. Time Counter : 347 - 500}
{Tape : 4; Side : A; Approx. Time Counter : 0 - 111}

Closing by Sponsor: Rep. Sliter closed HB 181.
{Tape : 4; Side : A; Approx. Time Counter : 111 - 167}

EXECUTIVE ACTION ON SB4

Motion/Vote: REP. PAVLOVICH moved that SB 4 BE CONCURRED IN.
Motion carried unanimously.
{Tape : 4; Side : A; Approx. Time Counter : 167 - 178}

EXECUTIVE ACTION ON HB 154

Motion: REP. EWER moved that HB 154 DO PASS.
{Tape : 4; Side : A; Approx. Time Counter : 178 - 180}

Motion/Vote: REP. EWER moved that HB 154 BE AMENDED. Motion
carried unanimously.
{Tape : 4; Side : A; Approx. Time Counter : 180 - 186}

Motion/Vote: REP. EWER moved that HB 154 DO PASS AS AMENDED.
Motion carried unanimously.
{Tape : 4; Side : A; Approx. Time Counter : 186 - 188}

EXECUTIVE ACTION ON HB 156

Motion: REP. TREXLER moved that HB 156 DO PASS.
{Tape : 4; Side : A; Approx. Time Counter : 188 - 205}

Motion: REP. TUSS moved that HB 156 BE AMENDED.
{Tape : 4; Side : A; Approx. Time Counter : 205 - 210}

Motion/Vote: REP. BOOKOUT-REINICKE moved that HB 156 BE AMENDED
split Tuss amendments. Motion carried unanimously.
{Tape : 4; Side : A; Approx. Time Counter : 210 - 220}

Motion: REP. TUSS moved that HB 156 BE AMENDED.
Motion failed on voice vote.
{Tape : 4; Side : A; Approx. Time Counter : 220 - 228}

Motion/Vote: REP. TUSS moved that HB 156 DO PASS AS AMENDED.
Motion carried unanimously.
{Tape : 4; Side : A; Approx. Time Counter : 228 - 245}

ADJOURNMENT

Adjournment: 12:00 P.M.

REP. BRUCE SIMON, Chairman

PATI O'REILLY, Secretary

BS/PO

EXHIBIT (buh15aad)